

RESOLUTION NO. 2008-163

A RESOLUTION OF THE LODI CITY COUNCIL  
AUTHORIZING THE CITY MANAGER TO  
EXECUTE MUTUAL AID AGREEMENTS

=====

WHEREAS, the City of Lodi Electric Utility may be benefited by requesting or providing aid to other utilities; and

WHEREAS, three Mutual Aid Agreements are available to the City of Lodi, as follows:

- 1) The first Mutual Aid Agreement is coordinated by the American Public Power Association (APPA), which Agreement is explicit in that aid is not contingent on an emergency or disaster. The Aiding Signatory provides assistance at its discretion upon request of the Requesting Signatory. The Requesting Signatory pays the Aiding Signatory's invoice for labor, equipment, and transportation at the Aiding Signatory's reasonable and customary rates and for meal and lodging expenses at reasonable and actual costs. Parties include Sacramento Municipal Utility District (SMUD), Roseville, Alameda, and Redding. There is no other cost just for entering into the Agreement.
- 2) The second Mutual Aid Agreement is coordinated by the California Municipal Utilities Association. It is similar to the APPA Agreement with the following key difference: it is intended for use in emergencies (though it does not explicitly bar aid at other times), reimbursement is at cost + 10%, and it has explicit provisions to clarify matters of liability and indemnification. Parties include Alameda, Palo Alto, and Santa Clara. There is no other cost just for entering into the Agreement.
- 3) The third is a Mutual Aid Agreement of the California Utilities Emergency Association (CUEA) coordinated by the California Office of Emergency Services. It is similar to the APPA Agreement except that requesting aid requires the description of an emergency and the Agreement adds more detail in matters such as liability, arbitration and audit rights. Parties include Pacific Gas & Electric, SMUD, Modesto Irrigation District, Palo Alto, Redding, Roseville, and Santa Clara. The cost to belong to CUEA is currently \$4.35/year per million of Operating Revenue, with a \$500/year minimum (and \$40,000 maximum, that affects PG&E, Southern California Edison, and the like). CUEA also provides certain free training and would provide services to the water and wastewater utilities, as well as electric.

WHEREAS, staff recommends authorizing the City Manager to execute all three Mutual Aid Agreements as set forth above; and

WHEREAS, staff further recommends that the Electric Utility Director or his/her designee be authorized to administer the agreements in the absence of an emergency or disaster to the constraints of budgets adopted or ratified by the City Council.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council hereby authorizes the City Manager or his/her designee to execute the mutual aid agreements as set forth above; and

BE IT FURTHER RESOLVED that the Electric Utility Director or his/her designee is hereby authorized to apply for membership on behalf of the City of Lodi in the CUEA; and

BE IT FURTHER RESOLVED that the Electric Utility Director or his/her designee is hereby authorized to administer said agreements, subject, in the absence of an emergency or disaster, to the constraints of budgets adopted or ratified by the City Council.

Dated: August 20, 2008

---

I hereby certify that Resolution No, 2008-163 was passed and adopted by the Lodi City Council of the City of Lodi in a regular meeting held August 20, 2008, by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Hitchcock, Johnson, Katzakian,  
and Mayor Mounce

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None

  
RANDI JOHL  
City Clerk